
Communist Party Defunct, Believes District Attorney: Conviction of Three Members Declared to Have Proven Aims Are for Overthrow of Government

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The Communist Labor Party in Oregon is defunct, believes District Attorney Walter H. Evans.

Two of the former leaders of the society are in jail, convicted of criminal syndicalism, and facing prison sentences of from 1 to 10 years.

The party itself, by the verdict returned by the jury in Circuit Judge [Robert C.] Morrow's court, Saturday [March 20, 1920], is convicted of advocating the overthrow of the government of the United States by force and violence.

Nearly a score of the former members of the party who were too busy agitating to take out citizenship papers are facing deportation from American as undesirable aliens.

Sentence is Awaited.

Karl W. Oster, a native of America, his one "black spot," according to testimony, but a member of the Social Democratic Party of Finland, and one-time State Secretary of the Communist Labor Party in Oregon, is lodged in the county jail bedecked with a flaming red scarf awaiting sentence from Judge Morrow on March 25.

With him is Claude Hurst, former Financial Secretary of the local branch of the party. Both men are there in lieu of \$1,000 bail. Fred Fry, middle-aged alien Englishman who once served in the National

Guard of Minnesota, is free under \$1,000 bail, furnished in two equal parts to the state court and the immigration department.

The 18-day trial of the Communist Labor Party ended at 11 o'clock Saturday morning [March 20, 1920] when Richard Martin, Jr., foreman of the jury, announced that the 12 men had reached a verdict. They had deliberated 14 hours.

Party on Trial.

It was the Communist Labor Party, organized in the Throop Street IWW Hall in Chicago in early September [1919], which was on trial in Judge Morrow's court. After the first few days of legal battling the membership of the three defendants in the party was freely admitted by W.S. U'Ren, their counsel.

From then on the whole matter hinged on the aims and purposes of the party. In the words of the indictment, the men were charged with belonging to an organization which "advocated and affirmatively suggested criminal syndicalism, sabotage, and the expediency of doing acts of force and violence for the accomplishment of industrial or political ends."

Although no stipulations were entered into, attorneys for both sides stated clearly that the real issue of the case was whether or not the Communist Labor Party through its platform, program, and official organs advocated the overthrow of the government of the United States by force and violence.

Verdict Tells Tale.

The verdict of the jury meant that in the minds of the 12 men selected to pass upon the case, the party did advocate such acts.

The fact that the Communist Labor Party did desire to accomplish a change was acknowledged not only by U'Ren, but by all the defendants when upon the witness stand.

The dream of the Communists, as expressed in their official organs and platform, was for a "soviet" commonwealth modeled after that in Russia, where all rule should be by the proletariat.

“The Dictatorship of the Proletariat” was an oft-expressed dream of the members. The defense argued stoutly that the collection of words meant simply the rule by the majority, but [prosecutors] Evans and Bernard blasted this theory many times.

Another expression in the platform that for the accomplishment of their aims, “the use of the ballot box was only secondary,” was explained away by the defendants as meaning that the use of the ballot could not come until the workers had been educated.

Explanation is Scouted.

“Mass action,” the means by which the workers were to “capture” the reins of government, also meant education according to the party members, but the district attorney scouted this explanation.

Undoubtedly the one most important factor in determining the guilt of the defendants was a letter, produced by the state. It was written in December by Oster to A. Wagenknecht, Executive Secretary of the society at the New York headquarters.¹

Oster first told how he had been arrested by a couple of federal “dicks” and taken to the Federal Building. There, he wrote, “he wasted a couple of hours whitewashing our platform and program until they had an appearance very kindred to an ordinary edition of *The Youth’s Companion*. ”

The state forcibly brought out the fact that the men were probably attempting to “whitewash” their actions to the jury, and the statements of the district attorneys made visible effect.

Numerous IWW and Russian Bolshevik pamphlets were introduced in evidence by both sides when the state proved its contention that the Communist Labor Party was practically affiliated with the one, and was an offshoot of the other.²

U’Ren gave notice of an appeal and was given until April 25 to file a motion for a new trial by the court. May 5 was set as the final date for filing a bill of exceptions to the court’s rulings.

¹ CLP headquarters were actually located in Cleveland during 1919.

² The left wing of the Socialist Party of Oregon long enjoyed friendly relations with the Industrial Workers of the World in the state.

Oster was plainly the most fervent of the defendants, and he was the most glib and facile on the witness stand. He is considered by the state as being the ringleader of the party locally. Hurst, while plainly an agitator, was more halting in his testimony and less well versed in the prescribed party doctrines.

Fry, the last of the convicted men, is apparently a gentle, deaf, middle-aged Englishman. While he was plainly a member of the party, officials of the district attorney's office are inclined to the belief that he was enticed into joining the party by his associates, they taking advantage of some of the wrongs which the elder man thinks he has sustained.

Edited with footnotes by Tim Davenport

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